

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No : 20896 of 2005

Dated 23rd September, 2005

Between:

G.Bhasker Reddy, S/o.Thirupal Reddy, aged 35 years, Occ.Pvt
Employee, R/o.Plot No.256, Reddy Colony, Chandnagar, Hyderabad.

And

The Commissioner for Prohibition and Excise, Government of A.P.,
Office at MJ Road, Hyderabad and others.

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WRIT PETITION No : 20896 of 2005

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ORDER:

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This writ petition is filed seeking a Mandamus, declaring the action of the 2nd respondent in issuing the proceedings Cr.No.B5/1210/2001 dated 8-9-2005 for confiscation of the vehicle bearing No.A.P.28P4716 and also the action of the 1st respondent-Commissioner for Prohibition & Excise, Govt., of A.P in not staying the order of the 2nd respondent-Deputy Commissioner for Prohibition & Excise, Nizamabad pending statutory appeal filed by the petitioner, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the respondents.

The grievance of the petitioner is that even before filing of the appeal, the 2nd respondent-Deputy Commissioner, directed the petitioner to surrender the vehicle within seven days.

Admittedly, the petitioner's vehicle was in the custody and a bank guarantee was also given to the 2nd respondent, which is still in force. It is made it clear that the bank guarantee shall be extended from to time, till the disposal of the appeal. Therefore, appropriate orders have to be passed in the appeal filed by the 1st respondent-Commissioner for Prohibition & Excise in accordance with law. Till the disposal of the appeal, status-quo as on today shall be maintained.

Accordingly, the writ petition is disposed of. No costs.

(K.C.BHANU, J.)

Dated 23rd September, 2005.

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